

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION

SHELLEY BRYANT,	)	
	)	
Plaintiff,	)	
	)	Case No. _____
vs.	)	
	)	
WAL-MART STORES EAST, LP and JANE DOE	)	Removed from the Circuit Court of
CASHIER,	)	Stone County
	)	Case No. 21SN-CC00077
Defendants.	)	

**NOTICE OF REMOVAL**

COMES NOW Defendant Wal-Mart Stores East, LP and hereby files its Notice of Removal Based Upon Amount in Controversy, removing the above-entitled action to the United States District Court for the Western District of Missouri, Southwestern Division, pursuant to 28 U.S.C. §§ 1332, 1441(a) and 1446, and in support of said Removal, states as follows:

1. The above-entitled action, originally filed in the Circuit Court of Stone County, State of Missouri, is a civil action at law brought by the above-named Plaintiff against Defendant Wal-Mart Stores East, LP to recover monetary damages stemming from alleged bodily injury.
2. According to Plaintiff's Petition, at the time of the alleged incident Plaintiff was a resident and citizen of the State of Missouri.
3. Defendant Wal-Mart Stores East, LP, was, at the time of the commencement of said action and ever since, a foreign limited partnership organized and existing under the laws of the State of Delaware, and maintaining its principal place of business in the State of Arkansas. The chief and principal office and place of business of Defendant Wal-Mart Stores East, LP is not in the State of Missouri, and Defendant Wal-Mart Stores East, LP is not a citizen or resident of the State of Missouri.
4. WSE Management, LLC, general partner, and WSE Investment, LLC, limited partner, are the sole partners comprising Wal-Mart Stores East, LP.

5. WSE Management, LLC, at the time of the commencement of said action and ever since, has been and still is a foreign limited liability company organized and existing under the laws of the state of Delaware, with its chief and principal office and place of business in the State of Arkansas, and is not a citizen or resident of the State of Missouri.

6. WSE Investment, LLC, at the time of the commencement of said action and ever since, has been and still is a foreign limited liability company organized and existing under the laws of the state of Delaware, with its chief and principal office and place of business in the State of Arkansas, and is not a citizen or resident of the State of Missouri.

7. The sole member of both WSE Management, LLC and WSE Investment, LLC, at the time of the commencement of said action and ever since, has been and still is Wal-Mart Stores East, Inc.

8. At the time of the commencement of said action and ever since, Wal-Mart Stores East, Inc. has been and still is a foreign corporation incorporated and existing under the laws of the State of Delaware with its principal place of business in the State of Arkansas, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri.

9. As between Plaintiff and Wal-Mart Stores East, LP, the controversy in this action is wholly between citizens of different States.

10. Plaintiff claims in her Petition that she has sustained injury to her right foot, compartmentalized regional pain syndrome, emotional upset, anxiety, pain and suffering. She further claims that will be forced to incur expenses for future medical care and treatment. Plaintiff's most recent settlement demand made upon Defendant was Five Hundred Thousand Dollars (\$500,000.00).

11. Therefore, the amount in controversy in this matter, exclusive of interest and costs, exceeds the sum or value of Seventy-Five Thousand Dollars (\$75,000.00).

12. As such, this Court has original jurisdiction pursuant to 28 U.S.C. §1332 and is one which may be removed to this Court pursuant to 28 U.S.C. §1441.

16. This Removal Notice is filed in this Court within thirty days of the service of Plaintiff's Petition upon Defendant.

17. All pleadings and papers which have been filed in the state court action are attached to this Notice of Removal as Exhibit A.

WHEREFORE, Defendant Wal-Mart Stores East, LP prays this Honorable Court to accept jurisdiction of said action.

*/s/ Edward W. Zeidler II*

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**CERTIFICATE OF SERVICE AND  
CERTIFICATE OF COMPLIANCE**

The undersigned hereby certifies that the above and foregoing pleading was filed electronically with the above-captioned Court, with notice of case activity to be generated and sent electronically by the Clerk of said Court to: [tom@springfieldinjury.com](mailto:tom@springfieldinjury.com) Mr. Tom A. Kapstrom, Springfield Injury Law, 3100 S. National Ave., Suite 101, Springfield, MO 65807 this 17<sup>th</sup> day of August, 2021. Pursuant to Federal Rule, the undersigned further certifies that he signed an original of this pleading and that an original of this pleading shall be maintained for a period not less than the maximum allowable time to complete the appellate process.

*/s/ Edward W. Zeidler II*

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8/16/2021